



Entered on Docket
June 18, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Case No. BK-S-06-10725-LBR

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**Order Sustaining Sixth Omnibus
Objection Of USACM Liquidating
Trust To Proofs Of Claim Based In
Part Upon Investment In The
Gramercy Court Loan**

Hearing Date: June 15, 2010
Hearing Time: 9:30 a.m.

The Court having considered the "Sixth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Part Upon Investment In The Gramercy Court Loan" [DE 8060] (the "Objection"); the Court having heard the Objection on June 15, 2010; appropriate notice of the Objection having been given; no response to the Objection having been filed; and good cause appearing:

Exhibit A

1 **IT IS ORDERED** that:

2 1. The Objection [DE 8060] is sustained;

3 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
4 claims are based upon an investment in the Gramercy Court Loan for the reasons set forth
5 in the objection.

6 3. The claims listed on **Exhibit A** are not affected by this order to the extent
7 they are based upon an investment in another loan.

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10
11 By/s/ Robert M. Charles, Jr. (# 6593)

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CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document.]
- ☒ This is a chapter 11 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below.
- ☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

U.S. Trustee:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ Robert M. Charles, Jr.
Attorneys for USACM Liquidating Trust

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Exhibit A

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment in the Gramercy Court Condos Loan
10725-02044	Naylon, Dominique	PoBox2 Topaz, CA 96133	1,168,297.62	100,000.00
10725-02170	Neal, Ronald Douglas	22853 Boxwood Ln Santa Clarita, CA 91390-4155	282,277.38	50,000.00
10725-02121	Olga O`Buch Trust Dtd 5/28/98	Olga O`Buch Ttee 140 Gazelle Rd Reno, NV 89511	507,403.52	50,000.00
10725-01865	Oosthuizen, Adrian Jr	5860 Lausanne Dr Reno, NV 89511	2,711,295.30	150,000.00
10725-01574	Ovca Associates Inc Defined Pension Plan	C/O William J Ovca Jr Trustee 16872 Baruna Ln Huntington Beach, CA 92649-3020	275,000.00	75,000.00
10725-01878	Raggi, Dennis	PoBox10475 Zephyr Cove, NV 89448	10,451.54	Unknown
10725-02226	Raggi, Dennis	PoBox10475 Zephyr Cove, NV 89448	4,884,068.70	100,000.00
10725-01910	Rebecca A Rogers Trust Dtd 9/18/96	Rebecca A Rogers Trustee 2309 Sierra Heights Dr Las Vegas, NV 89134	548,885.18	60,000.00
10725-00245	Robert H & Lynn R Perlman Trust Dtd 9/17/92	C/O Robert H & Lynn R Perlman Ttees 2877 Paradise Rd Unit 301 Las Vegas, NV 89109-5278	1,187,000.00	50,000.00
10725-02000	Robert L Ogren Trust Dtd 6/30/92	Robert L Ogren Ttee 3768 Rick Stratton Dr Las Vegas, NV 89120	1,827,483.14	150,000.00